

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

February 12, 2010

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No. 09-50437  
Conference Calendar

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Charles R. Fulbruge III  
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JESUS LORENZO CONTRERAS,

Defendant-Appellant

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 3:08-CR-3174-1

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Before GARZA, DENNIS, and ELROD, Circuit Judges.

PER CURIAM:\*

Appealing the judgment in a criminal case, Jesus Lorenzo Contreras raises constitutional challenges to the imposition of a mandatory minimum sentence under 21 U.S.C. §§ 841 and 851 based on a prior conviction. As he concedes, his arguments are foreclosed by *United States v. Keith*, 230 F.3d 784, 787 (5th Cir. 2000), and *United States v. Doggett*, 230 F.3d 160, 166 (5th Cir. 2000), as well as by *Almendarez-Torres v. United States*, 523 U.S. 224, 243-47 (1998). The

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

Government's motion for summary affirmance is GRANTED, and the judgment of the district court is AFFIRMED.